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Docket No. PRD2017f

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vandecruys et al.

Serial No. : 10/536,542

Art Unit:

Filed : May 26, 2005

Examiner:

For : PHARMACEUTICAL COMPOSITIONS COMPRISING A BASIC
RESPECTIVELY ACIDIC DRUG COMPOUND, A SURFACTANT AND
A PHYSIOLOGICALLY TOLERABLE WATER-SOLUBLE ACID
RESPECTIVELY BASE

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 20, 2006

(Date of Deposit)

Hal B. Woodrow

(Name of applicant, assignee, or Registered Representative)

/Hal Brent Woodrow/

(Signature)

January 20, 2006

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R.
§§1.97-1.98, information relating to the above-identified
application is hereby disclosed. Inclusion of information in this
statement is not to be construed as an admission that this
information is material as that term is defined in 37 C.F.R.
§1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached);
or

☐ Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth in
§1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under

§1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached);
or
- ☐ Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth in
§1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD2017f/HBW. This form is submitted in triplicate.

Respectfully submitted,

/Hal Brent Woodrow/
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DATED: January 20, 2006



PTO/SB/06A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Application Number 10/536,542
Filing Date May 26, 2005
First Named Inventor Vandecruys et al.
Group Art Unit
Examiner Name
Attorney Docket Number PRD20171

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)				
		4,596,705	A		Schepky et al.	06-24-1986	
		2001/049366	A1		Singh et al.	12-06-2001	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	† ⁵
		Office ³	Number ⁴	Kind Code ²				
		WO	97/35587	A1	Glaxo Group Limited	10-02-1997		
		WO	98/08490	A1	Pharmos Corporation	03-05-1998		
		WO	99/26607	A1	Fuisz Technologies Ltd.	08-03-1995		
		WO	99/45918	A1	Napro Biotherapeutics Inc	09-16-1999		
		WO	95/23594	A1	Gergely Gerhard et al.	08-03-1995		
		WO	01/23362	A2	Knoll AG	04-05-2001		
		WO	97/02017	A1	Elan Corp PLC	01-23-1997		
		WO	01/30319	A1	Supergen, Inc.	05-03-2001		
		WO	01/22938	A1	Janssen Pharmaceutica	04-05-2001		
		WO	95/20384	A	Abbott Lab	08-03-1995		
		WO	95/07696	A	Abbott Lab	08-03-1995		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.V./



Approved for use through 10/31/2002. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 2 of 2

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Filing Date	May 26, 2005
First Named Inventor	Vandecruys et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	PRD20171

Examiner's
Initials*Cite
No.¹

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

 T^2

PEETERS, J. ET AL. "Development of an extended release oral dosage form using experimental design"; Proceedings - 28th International Symposium on Controlled Release of Bioactive Materials and 4th Consumer & Diversified Products Conference, San Diego, CA, United States, June 23-27, 2001 (2001, Vol. 1, 704-705 Publisher: Controlled Release Society, 23 June 2001 (2001-06-23). XP0001152635

Examiner
Signature

/./ake Vu/

Date _____

Considered

03/11/2009

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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SUBMISSION UNDER MPEP 609 D

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			Office ³	Number ⁴	Kind Code ⁵		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		International Search Report for PCT/E P 03/50890 dated July 5, 2004	

Examiner Signature	/Jaka Viji/	Date Considered	03/11/2009
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